

REMARKS

Applicant is in receipt of the Final Office Action mailed October 12, 2007. Claims 1, 2, 4-13, 15-24, and 26-33 remain pending in the application.

Rejection Under 35 U.S.C. § 102(b)

Claims 1, 4, 9-12, 15, 20-23, 26, and 31-33 are rejected under 35 U.S.C. § 102(e) as being anticipated by Kenton (U.S. Patent No. 6,845,507). Applicant respectfully traverses the rejection in light of the following remarks.

Anticipation under § 102(e) requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, arranged as in the claim. *Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co.*, 221 USPQ 481, 485 (Fed. Cir. 1984). The identical invention must be shown in as complete detail as is contained in the claims. *Richardson v. Suzuki Motor Co.*, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). As discussed below, Kenton fails to disclose each and every element of the claimed invention.

Applicant respectfully submits that Kenton does not teach or suggest a method comprising “performing the task on the first computer system in response to the user input” and “retrieving the portable message from the message log; and executing the one or more instructions to perform the task on one or more additional computer systems” in combination with the remaining features of claim 1. Kenton discloses a system for workflow automation in which workflow instructions are accessed from messages passed from one application to another (see, e.g., col. 3, line 47 to col. 4, line 2). Figs. 2 and 3 illustrate examples of workflows including various workflow tasks. Kenton also discloses that different tasks in a workflow may be performed respectively on different computer systems (see, e.g., Fig. 2). However, Kenton does not teach or suggest that the same task is performed on at least two different computer systems.

In the “Response to Arguments” section of the Final Office Action, the Examiner contends that Kenton performs the same task regarding the allocation of stock shares on at least two different computer systems. Applicant respectfully disagrees with this characterization of Kenton’s teachings. On a first computer system running a Trade Management Application (TMA), a financial transaction is performed to allocate shares of stock to various client portfolios (see, e.g., col. 4, lines 35-39 and 45-47). On a second computer system running a Portfolio Management Application (PMA), a database transaction is performed to update a PMA database to reflect the stock allocation (see, e.g., col. 4, lines 39-41 and 61-64). However, the financial transaction and the database transaction are two different tasks. Therefore, Kenton does not teach or suggest a method comprising “executing the one or more instructions to perform the task on one or more additional computer systems” (emphasis added) in combination with the remaining features of claim 1.

Furthermore, Applicant respectfully submits that Kenton does not teach or suggest a method comprising “wherein the message comprises metadata which comprise identifying characteristics of the source application” in combination with the remaining features of claim 1. The Final Office Action argues that this limitation is taught by Kenton in col. 7, lines 48-58. Applicant respectfully disagrees. In the cited passage, Kenton discloses that a workflow message contains hierarchical data including a <Stage> tag that encloses a list of data needed for a task. Kenton further describes the tagged data as “data needed by the steps that a particular application must execute to fulfill its role in the process.” However, there is no teaching or suggestion in Kenton that the message identifies the particular application or otherwise comprises identifying characteristics of the source application. Although the “Response to Arguments” section of the Final Office Action argues that the TMA “is part of the stage elements,” Applicant can find no teaching or suggestion that the <Stage> tag or any other metadata in Kenton actually identifies the TMA.

For at least the reasons discussed above, Applicant respectfully submits that independent claims 1, 12, and 23 are patentably distinct from Kenton. Applicant asserts

that numerous ones of the dependent claims recite further distinctions over the cited art. However, since the rejection has been shown to be unsupported for the independent claims, a further discussion of the dependent claims is not necessary at this time. Accordingly, Applicant respectfully requests withdrawal of the § 102(e) rejection.

Rejections Under 35 U.S.C. § 103(a)

Claims 2, 13, and 24 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Kenton in view of Dodrill, et al. (U.S. Patent No. 6,766,298, hereinafter “Dodrill”). Claims 5-8, 16-19, and 27-30 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Kenton in view of Sweeney, et al. (U.S. Patent Application Publication No. 2002/0032646, hereinafter “Sweeney”). Applicant respectfully traverses the rejection in light of the following remarks.

To establish a *prima facie* case of obviousness of a claimed invention, all claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 U.S.P.Q. 580 (C.C.P.A. 1974), MPEP 2143.03. Applicant respectfully submits that the cited references, taken individually or in combination, do not teach or suggest all the limitations recited in the claims.

Regarding claim 2, for example, Applicant respectfully submits that the cited references, taken individually or in combination, do not teach or suggest a method comprising “retrieving the portable message from the message log” and “executing the one or more instructions to perform the task again on the first computer system” in combination with the remaining features of the base claim 1. The Office Action argues that these limitations are taught by Dodrill in col. 15, lines 16-18. Applicant respectfully disagrees. In the cited passage, Dodrill discloses that the same XML document may be executed more than once. However, there is no teaching or suggestion in Dodrill that the XML document is retrieved from a message log.

Furthermore, Applicant respectfully submits that it would not have been obvious to one of ordinary skill in the art at the time the invention was made to modify Kenton in the manner suggested by the Examiner. In particular, Applicant respectfully submits that there is no suggestion or reason to combine the teachings of Kenton and Dodrill. Kenton discloses a multi-stage workflow using a message queue, while Dodrill discloses a web-based voice messaging system in which XML documents are processed in audio operations. The Final Office Action argues that the combination would have been obvious “because having the XML to be executed and prompt to the user again would allow user to correct a previous error as taught by Dodrill.” However, Kenton’s tasks involve financial transactions and database operations, not the obtaining of user input via voice commands as taught by Dodrill. Thus, Applicant can see no reason to combine the voice-based input techniques of Dodrill with the system disclosed by Kenton in the manner suggested by the Examiner.

For at least the reasons discussed above, Applicant respectfully submits that dependent claims 2, 13, and 24 are patentably distinct from Kenton and Dodrill. Applicant asserts that numerous others of claims 5-8, 16-19, and 27-30 recite further distinctions over the cited art. However, since the rejection has been shown to be unsupported for the independent claims, a further discussion of claims 5-8, 16-19, and 27-30 is not necessary at this time. Accordingly, Applicant respectfully requests withdrawal of the § 103(a) rejection.

CONCLUSION

In light of the foregoing amendments and remarks, Applicant submits the application is now in condition for allowance, and an early notice to that effect is requested.

If any extensions of time (under 37 C.F.R. § 1.136) are necessary to prevent the above-referenced application(s) from becoming abandoned, Applicant(s) hereby petition for such extensions. The Commissioner is hereby authorized to charge any fees which may be required or credit any overpayment to Meyertons, Hood, Kivlin, Kowert & Goetzel P.C., Deposit Account No. 50-1505/5602-11500/JCH.

Also filed herewith are the following items:

- ☐ Request for Continued Examination
- ☐ Terminal Disclaimer
- ☐ Power of Attorney By Assignee and Revocation of Previous Powers
- ☐ Notice of Change of Address
- ☐ Other:

Respectfully submitted,

/Jeffrey C. Hood/
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